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11 Attorneys for Esmedia Baytoc Gummerson

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

ESMEDIA BAYTOC GUMMERSON,

Defendant.

2:12-mj-00380-CWH

**STIPULATION TO QUASH WARRANT  
AND CONVERT CLASSES TO  
COMMUNITY SERVICE**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Nadia J. Ahmed, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Heidi A. Ojeda, Assistant Federal Public Defender, counsel for defendant ESMEDIA BAYTOC GUMMERSON, that the bench warrant issued on December 17, 2013, be quashed, that Mrs. Gummerson's course obligations be convert to community service and that this matter be set for a status hearing now sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. Mrs. Gummerson has been unemployed and struggling financially for several years. Undersigned has been unable to remain in contact with her due to her frequently changing residences and her inability to afford her monthly cell phone bill. In addition to her unemployment and strained

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1 finances, her husband is seriously ill and unable to work or preform his activity of daily life without  
2 the assistance of Mrs. Gummerson.

3 2. Mrs. Gummerson recently was able to obtain a phone number and a permanent mailing  
4 box. She has contacted the undersigned and explained that although she is still unemployed, she has  
5 reached some stability in her life and would like to resolve the outstanding warrant and the remaining  
6 obligations of her case.

7 3. Based upon Mrs. Gummerson's initiative in contacting the undersigned and her desire to  
8 resolve this case, the parties request that the bench warrant issued in this case be quashed.

9 4. The only outstanding obligations are a \$10 penalty assessment and completion of the DUI  
10 and VIP classes. Given Mrs. Gummerson's personal situation, the parties request that this Court  
11 waive the \$10 penalty assessment and convert the DUI and VIP course obligations to 50 hours of  
12 community service. This conversion will allows Mrs. Gummerson to be able to complete the  
13 obligations of the Court without imposing a significant financial obligation on her and her husband  
14 (the combined total of the courses is at least \$150.00).

15 5. The parties further request that this Court set this matter for status check within 60 days  
16 to allow Mrs. Gummerson time to complete the 50 hours of community service.

17 This is the first request to quash warrant and convert classes to community service.

18 DATED this 6<sup>th</sup> day of May, 2015.

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20 RENE L. VALLADARES  
21 Federal Public Defender

22 /s/ Heidi A. Ojeda

23 By: \_\_\_\_\_

24 HEIDI A. OJEDA  
25 Assistant Federal Public Defender  
Counsel for Esmedia Baytoc Gummerson

DANIEL G. BOGDEN  
United States of America

/s/ Nadia Janjua Ahmed

By: \_\_\_\_\_

NADIA JANJUA AHMED  
Assistant United States Attorney  
Counsel for the Plaintiff

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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

4 UNITED STATES OF AMERICA,  
5 Plaintiff,

6 vs.

7 ESMEDIA BAYTOC GUMMERSON,  
8 Defendant.

Case No.: 2:12-mj-00380-CWH

**FINDINGS OF FACT, AND ORDER**

10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

13 1. Mrs. Gummerson has been unemployed and struggling financially for several years.  
14 Undersigned has been unable to remain in contact with her due to her frequently changing  
15 residences and her inability to afford her monthly cell phone bill. In addition to her  
16 unemployment and strained finances, her husband is seriously ill and unable to work or perform  
17 his activity of daily life without the assistance of Mrs. Gummerson.

18 2. Mrs. Gummerson recently was able to obtain a phone number and a permanent mailing  
19 box. She has contacted the undersigned and explained that although she is still unemployed, she  
20 has reached some stability in her life and would like to resolve the outstanding warrant and the  
21 remaining obligations of her case.

22 3. Based upon Mrs. Gummerson's initiative in contacting the undersigned and her desire to  
23 resolve this case, the parties request that the bench warrant issued in this case be quashed.

24 4. The only outstanding obligations are a \$10 penalty assessment and completion of the DUI  
25 and VIP classes. Given Mrs. Gummerson's personal situation, the parties request that this Court  
26 waive the \$10 penalty assessment and convert the DUI and VIP course obligations to 50 hours of  
27 community service. This conversion will allow Mrs. Gummerson to be able to complete the

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1 obligations of the Court without imposing a significant financial obligation on her and her husband  
2 (the combined total of the courses is at least \$150.00).

3       5. The parties further request that this Court set this matter for status check within 60 days  
4 to allow Mrs. Gummerson time to complete the 50 hours of community service.

## ORDER

6 IT IS FURTHER ORDERED that the bench warrant issued on December 17, 2013, be  
7 quashed, that Mrs. Gummerson's course obligations be converted to community service, and a  
8 status hearing be set for August 4, 2015 at the hour of 1:30 p.m.

10 DATED 11<sup>th</sup> day of May, 2015.

UNITED STATES MAGISTRATE JUDGE